



2153#12  
Serial No.: 09/021,466  
Attorney Docket No.: 1177

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Oehrke, et al. )  
Serial No.: 09/021,466 )  
Filing Date: February 10, 1998 )  
Title: SURVIVABLE AND SCALABLE )  
DATA SYSTEM AND METHOD )  
FOR COMPUTER NETWORKS )

Examiner: Kupstas, Tod  
Art Unit: 2153

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**INFORMATION DISCLOSURE STATEMENT**  
**WITH CERTIFICATION UNDER 37 C.F.R. § 1.97(c)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. § 1.56 and § 1.97(c), the references listed below and on the attached Form PTO/SB/08A (Substitute for Form 1449A-B/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed. Submission of these references is not an admission that the references constitute prior art.

**U.S. PATENTS**

| <b><u>Patent No.</u></b> | <b><u>Inventor(s)</u></b> | <b><u>Issue Date</u></b> |
|--------------------------|---------------------------|--------------------------|
| 5,815,668                | Hashimoto                 | September 29, 1998       |
| 5,613,106                | Thurman et al.            | March 18, 1997           |

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on:

Date: October 24, 2001  
Signature: Beth Fowler  
Printed Name: Beth Fowler

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

**FOREIGN PATENTS**

| <b><u>Country</u></b> | <b><u>Patent No./Publication No.</u></b> | <b><u>Publication Date</u></b> |
|-----------------------|--|--------------------------------|
| None.                 |  |                                |

**OTHER REFERENCES**

None.

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Applicants respectfully request that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

This information disclosure statement is being filed after the mailing of a first Office Action on the merits, but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application.

**CERTIFICATION UNDER 37 C.F.R. § 1.97(e)**

The undersigned hereby certifies:

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By: Judith L. Carlson

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